

**Memorandum of the Meeting  
Regular Study Session/Meeting  
Twenty-Eighth Town Council of Highland  
Monday, May 19, 2014**

The regular study session of the Twenty-Eighth Town Council of the Town of Highland was convened at the regular place, the Highland Municipal, 3333 Ridge Road, Highland, Indiana, in the plenary meeting chambers on **Monday, May 19, 2014** at the time of 7:07 o'clock p.m.

**Silent Roll Call:** Councilors Bernie Zemen, Mark Herak, Konnie Kuiper and Dennis Adams were present. Councilor Dan Vassar was absent owing to participation in the opening ceremonies in Little League. A quorum was attained. The Clerk-Treasurer Michael W. Griffin was present to memorialize the proceedings.

**Also present:** Steve Mileusnich of the Advisory Board of Zoning Appeals and Randy Bowman, Electrical Inspector and Ed Dabrowski of CBL Consulting - the IT Consultant were present.

**General Substance of Matters Discussed**

1. The Town Council discussed the issue of acting to instruct regarding the 45<sup>th</sup> and 5<sup>th</sup> Avenue Improvement Project. It was noted that at the May 5 standing study session, the Town Council received information regarding the progress of the project. It was determined that the issue should be voted at the next plenary business meeting.
2. The Town Council discussed a recent electronic communication from Richard Underkofler, Secretary of the Highland Community Foundation, regarding the desired additional appropriation in the Park Non Reverting Capital Fund, to support the further development of the so called 45<sup>th</sup> Street Landscape Improvement Project, located at the Southeast corner of the intersection of 45<sup>th</sup> and 5<sup>th</sup> Streets.
3. The Town Council noted the remaining appointments that either the Town Council President or the full Town Council had authority to make. It was noted that the position on the Board of Waterworks Directors and the position on the Park and Recreation Board required the most attention. The Town Council was unclear about the status of a pending meeting or interview with a prospective candidate for appointment Larry Dora.
4. The Town Council discussed the prospect of uses for the lower level of the Town Hall after the Police Department is relocated to the new Police Station Building. The discussion included exploring whether non-load bearing walls could be removed and the space modestly refurbished for evening meetings. IT was further noted that the previous consultant reports on the building suggested that refurbishing or retrofitting would be far more costly owing to meeting modern code compliance in part.
5. The Town Council discussed a suggestion by Councilor Herak that the Town hire a specific part-timer worker to deal with the issue of sidewalk condition. The suggestion included tasking the worker with identifying conditions needing remediation, then notifying the nearby home or business owner to make a repair in a limited time. If the repair was not made, the Town could move forward and recover costs.
6. The Town Council discussed a suggestion by Councilor Herak that the Town hire a specific part-timer worker to deal with the issue of single-family residences occupied by renters. The objective would be to get compliance with the business licensing code. The suggestion included tasking the worker with comparing the current utility addresses with the assessors tax records. If it was determined that the occupant was a non-owner, the worker would be further tasked with advising the Lake County Auditor to remove any homestead deduction that may be in place.

7. The Town Council discussed a suggestion by Councilor Herak that the Town establish a "special assessment district" along Kennedy Avenue to support the costs associated with aesthetic cleanup such as removing weeds growing in sidewalks and along other parts of public way.

The discussion broadened to general needs for enforcement of code compliance and existing property maintenance standards. Councilor Adams suggested a meeting with a code enforcement official from the City of Hammond who is willing to discuss the tools and techniques used by the City to address the issues of property care and maintenance of standards.

The discussion further advanced a suggestion by Councilor Adams to select a special officer, styled as a "*Community Resource Officer*", drawn from the sworn ranks of the Police Department to assist and work with the Building Commissioner to perform enhanced code enforcement.

A colloquy ensued between and among the members of the Town Council and Randy Bowman, Assistant Inspector for Electrical Code, regarding the enforcement of property standards and unkempt weeds or grass. It was noted that there are added notice provisions for enforcement under the nuisance chapter of the Highland Municipal Code, and then liens may be filed but recovery of enforcement costs is slow and rare.

The Clerk-Treasurer noted that the current enforcement is under the nuisance portion of the code, which was drafted relying on the provisions related to regulating rank weeds and vegetation from IC 36-7-10.1 et seq. In that case, enforcement for recovery of costs requires court action. It was further noted that filing liens in these instances is a passive recovery technique, in that collections only occur if there is a change in ownership. It was further noted that identifying owners further complicates enforcement and recovery of costs of remediation, such as mowing the grass.

It was further noted that perhaps the enforcement portions of the current code, should be amended to allow for enforcement under the property maintenance code or an added section, and rely on the recent changes to IC 36-1-6-2 regarding code enforcement generally, which permits liens to be filed as tax liens and recovered by billing in the same manner as Sewage liens. The Town Council expressed favor for this suggestion.

8. The Town Council discussed a suggestion by Councilor Herak to explore adding illuminated major street signs to identify the streets that are suspended over the street at intersections. It was noted that Crown Point installed these as well as some nearby Illinois Suburbs. The discussion further included exploring a sponsorship that could be included in a fashion on the lighted signs denoting street names.
9. The Town Council discussed an issue raised by Councilor Herak regarding the condition of trees along Jewett Street in the downtown area. It was noted that trees are dead or dying along the streetscape. It was further noted that some business owners expressed a desire for planters rather than trees. It was still further noted that the Redevelopment Director represented that the redevelopment plan for the area includes a tree-lined streetscape. Councilor Herak suggested that the streetscape requires attention and either trees or the planters should be installed.
10. The Town Council discussed a suggestion from Councilor Herak that that proposed a redevelopment project on the section of Lincoln, between Kennedy Avenue and the Railroad Tracks near second street, to acquire the several houses located there, reassemble the properties to permit construction of new single family dwellings to change the block and attract new residents. It was suggested that there were approximately 18 houses and properties that would be involved.

11. The Town Council discussed a request by Councilor Herak to place before the Town Council the opportunity for a vote to grant of a single compensation day (paid day off) to Judy Vaughn, a Secretary in the Public Works Agency, owing to the fact that she worked on January 6, 2014, when other clerical workers, who were instructed to stay at home on that day, were compensated under the authority of Enactment No. 2014-03. She has represented her desire to be granted some special added compensation since she reported to work for a full shift. It was noted that she was paid. The enactment is included for added context.

**Town of Highland**  
**ENACTMENT NO. 2014-03**

**AN ENACTMENT TO APPROVE REGULAR WAGE AND SALARY PAYMENTS FOR MUNICIPAL WORKERS FOR THE DATE OF JANUARY 6 2014 DUE TO A CLOSING OF THE ADMINISTRATIVE OFFICES, IN CONSEQUENCE OF THE INTEMPERATE WEATHER.**

**WHEREAS,** The Town Council is the fiscal and legislative body of the Town of Highland, pursuant to IC 36-5 et sequitur;

**WHEREAS,** Pursuant to IC 36-1-24(3), the Town Council is also the Works Board for the Town of Highland and governs the hours and other matters related to the hours of operation for the Municipal Building;

**WHEREAS,** IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs;

**WHEREAS,** IC 36-1-3-6 (b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

**WHEREAS,** IC 36-1-4, sections 14 and 15 provide in pertinent parts for the establishment of a system of employment for any class of employee and for fixing the level of compensation of its officers and employees; and

**WHEREAS,** IC 36-5, Chapters 3 and 4 provide additional authority and guidelines for fixing the level of compensation of officers and employees in towns; and

**WHEREAS,** The Town Council has been advised that on Monday, January 6, 2014, owing to the intemperate weather and heavy snowfalls, the administrative offices for the Town of Highland and its executive departments were closed, and workers who were not required for public safety or roadway upkeep, were directed to stay at home;

**WHEREAS,** The Town Council has been further advised that the proper officers did confer with the Town Council and it is the desire and expectation of the Town Council that closer would be treated as paid time off for those who were instructed to stay home and not report;

**WHEREAS,** The Town Council now desires to take the proper steps to authorize and approve the foregoing;

**NOW, THEREFORE, BE IT HEREBY ENACTED** by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That the Town Council makes the following findings and determinations, pursuant to its authority under IC 36-1-4-16 to ratify the actions of officers *post hoc*, as well as the authority described in the preamble to this enactment:

(A) That on Monday, January 6, 2014, owing to the intemperate weather and heavy snowfalls, the administrative offices for the Town of Highland including all of its executive departments were closed, and workers who were not required for public safety or roadway upkeep, were directed to stay at home;

(B) That the proper officers did confer with the Town Council and it is the desire and expectation of the Town Council that closer would be treated as paid time off for those who were instructed to stay home and not report;

(C) That the amount of paid time off involves only those full-time workers, who were instructed to stay home and not report;

(E) That the need for a swift determination and finding is presented in that this pay if approved is included in the pay period that will end this Saturday, January 18, 2014 scheduled to be paid in a general pay day on Friday, January 24<sup>th</sup> 2014;

**Section 2.** That based upon the forgoing, the Town Council does hereby authorize and approve the closing of the administrative offices of the Town of Highland including its executive departments along with the

Monday, May 19, 2014

scheduled pay for what would be the regular scheduled time for workers who were not required for public safety or roadway upkeep, and were directed to stay at home; not in excess of eight hours of pay per worker affected;

**Section 3.** That the adoption of this enactment shall in no way be construed as creating an entitlement for any other workers in any other department who were not instructed to stay home and not report but remained at work on the subject date of this enactment;

**Section 4.** That this an additional adopted version of this enactment shall be transmitted to and filed with the Clerk-Treasurer as a supporting document for the payroll to be paid on Friday, January 24<sup>th</sup> 2014; covering the pay period beginning Sunday, January 5, 2014 and ending Saturday, January 18, 2014.

Introduced and Filed on the 13<sup>th</sup> day of January 2014. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and a vote of 0 opposed, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED and ADOPTED** this 13th day of January 2014, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

**Attest:**

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

12. The Town Council discussed a suggestion by Councilor Herak that Tom Porter, a worker in the Public Works Agency, have restored some paid days off imposed upon him as a disciplinary matter in a workplace incident involving a now forcefully separated worker, Kevin Huzzie. It was suggested that the matter required further information.

There being no further business necessary or desired to be discussed by the Town Council, the regular study session of the Town Council of **Monday, May 19, 2014**, was adjourned at 7:50 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer